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The situation in Afghanistan

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The situation in Afghanistan and its implications for international peace and security

Report of the Secretary-General

I. Introduction

1. The present report is submitted pursuant to General Assembly resolution 61/18 of 28 November 2006, and to Security Council resolution 1662 (2006), in which the Council decided to extend the mandate of the United Nations Assistance Mission in Afghanistan (UNAMA) until 23 March 2007. The present report reviews the activities of UNAMA since my last report, dated 11 September 2006 (A/61/326-S/2006/727). During the reporting period, the Security Council received oral briefings on 9 October 2006 and 5 February 2007.

II. Current security situation

2. Insurgency-related violence peaked in September 2006 and receded thereafter due to intense security efforts and the onset of winter. The incident levels during the winter months nevertheless stood well in excess of those recorded for previous years. The figures for January 2007, for example, were more than double those in January 2006. The insurgency-related violence resulted in 2,732 fatalities between 1 September 2006 and 25 February 2007. Since the last reporting period, there was a marked increase in insurgent forces prepared to engage in conventional combat operations against Government and international security forces, and a significant improvement in the insurgents' tactics and training.

3. Despite high losses of personnel during the past year, indications pointed to an insurgency emboldened by their strategic successes, rather than disheartened by tactical failures. They continue to mount widespread roadblocks on the ring road connecting Kabul to Kandahar and Herat and to target senior public officials and community leaders. The head of the Kandahar Department of Women's Affairs and

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the Governor of Paktya province were assassinated in September and October 2006, respectively. In the central and south-east regions, military operations conducted by Government and international military forces managed to clear areas only temporarily. The insurgents' leadership structure remained intact, despite the capture or killing of a few senior commanders.

4. The peace agreement concluded on 5 September 2006 between Pakistan and the local Taliban of North Waziristan did not prevent the use of the tribal area as a staging ground for attacks on Afghanistan, which had been one of the agreement's central stipulations. Security incidents involving insurgents instead rose by 50 per cent in Khost and 70 per cent in Paktika, between September and November 2006, and were accompanied by intensified propaganda activities in the form of night letters, targeted kidnappings, and preaching by itinerant mullahs. There were reports of cross-border movement in both directions.

5. Popular alienation remains a key factor behind the revitalized insurgency, and stems from inappropriate Government appointments, tribal nepotism and monopolization of power, and the marginalization of those outside the dominant social and political groups. The central Government's frequent tolerance of weak governance has diminished public confidence in its responsiveness and its readiness to hold officials accountable for their transgressions. In those cases where the centre has appointed capable governors, such as in Paktya, Uruzgan and Zabul, it has failed to provide them with the resources necessary to maintain the goodwill that they have generated.

6. Local communities have begun to enter into accords with the Government and the insurgents in order to limit the damage of warfare. Such agreements were concluded in the Zadran-populated districts in Paktya and Khost provinces, and in the Narhai district in Kunar province, where tribal elders from both sides of the border with Pakistan negotiated a non-aggression pact. An agreement of September 2006 with local elders from Musa Qala district, Helmand province, stipulating that the district would not be used as a staging ground for insurgent attacks in exchange for the withdrawal of international military forces from a radius of five kilometres from the district centre, led to five months of relative stability. However, on 2 February 2007, the Taliban successfully seized Musa Qala. At the time of writing of the present report, the International Security Assistance Force (ISAF) was allowing provincial governor Asadullah Wafa and tribal elders the opportunity to negotiate a withdrawal of the Taliban.

7. A record number of suicide attacks occurred during the reporting period; 77 were recorded, up from 53 over the previous six months. From a peak of 21 attacks in September 2006, the frequency of suicide bombing dropped to an average of 15 incidents per month by the end of the year. Nevertheless, the 12 attacks in January 2007 remained three times higher than the figure for January 2006. The bulk of attacks were directed against foreign military convoys, but civilians were increasingly targeted. Suicide bombings represent the most visible link between the insurgency and international terrorism. Many attacks appear to have been financed from abroad. According to national and international security sources, the training camps for these attacks are located outside Afghanistan. The Al-Qaida affiliated trainers in these facilities reportedly include Chechens and Uzbeks, as well as Yemenis and other Arab nationals. Four of the 12 identified suicide bombers in January 2007 were not Afghans.

8. The Strengthening Peace Programme, led by former President Mujaddidi, has had some success in reaching out to Taliban foot soldiers, who are mostly disaffected Afghans manipulated by their leadership. The programme had resulted in 2,761 declarations of allegiance to the Islamic Republic of Afghanistan as of late January 2007. Most, however, were not significant actors and their pledges had a negligible impact on the insurgency. Reconciliation efforts were arguably hindered by the presence of outdated information on the list established pursuant to Security Council resolution 1267 (1999). Several persons on the list have reconciled to the Afghan Government since late 2001. Others are reported to have died. Meanwhile, a significant evolution of the Taliban leadership has taken place at both the central and provincial levels. The November 2006 Security Council mission to Afghanistan was briefed on the list. Subsequently, in its report on the mission (S/2006/935), the Security Council recommended that the list be updated as necessary and on the basis of the most up-to-date information, as envisaged by the relevant Security Council resolutions. It is worth noting that in its resolution 1735 (2006), the Council, inter alia, foresees the possibility of de-listing.

9. Formed in the wake of a joint security assessment prepared last summer (see A/61/326-S/2006/72), the Policy Action Group met on a bimonthly basis throughout the reporting period. The Group brought together senior Afghan security officials, their international counterparts and representatives of Member States with a significant troop presence in Helmand, Kandahar, Uruzgan and Zabul. Convened by President Karzai and led by his national Security Adviser, the Group coordinated a strategic and timely response to the challenges posed by the insurgency in these provinces. In the past six months, the Group has begun to deliver a real comprehensive analysis and, increasingly, action, such as the decision to establish an auxiliary police force in insecure provinces (see sect. IV below). On the recommendation of the Group, $18.5 million was committed by the Ministry of Finance and $1.5 million by the Ministry of Education for development projects in areas most directly affected by the insurgency. In an attempt to reach out directly to disaffected communities, President Karzai chaired a Group meeting in Kandahar in December 2006.

10. In the northern part of Afghanistan, factional violence and criminality continue to pose a significant challenge to the authority of the Government and present a danger to the international assistance community. Disputes between former factional commanders led to some violent incidents in Badakhshan, Faryab and Jawzjan provinces. Competition over control of revenue sources, including drug trade routes, is suspected to be the main reason for the clashes observed.

III. Political developments

A. National Assembly

11. Parliament's strengths and weaknesses were displayed during the reporting period. The National Assembly developed into a vibrant forum for debate on a range of issues and provided an increasingly powerful counterweight to the executive branch, while new leaders emerged and substantial political regroupings took place. Three multi-ethnic opposition blocs, including jihadis, leftists, independents and women, were formed: the National Independence, the National Observer, and the

Progressive parliamentary groups. Opposition blocs increasingly appear to be drafting common platforms. In November, parliamentarians and party leaders announced the formation of the National United Council, an alliance centred around prominent jihadis, leftists and ethno-nationalists. The Council platform includes support for decentralization and federalism, regularizing the presence of international military forces and resolving border disputes. Meanwhile, National Independence leaders have launched consultations on a platform that would enable them to transform their parliamentary group into a party.

12. These developments appear to reflect dissatisfaction with the single non-transferable vote system employed in the 2005 elections, which resulted in a fragmented Parliament where individual leaders are dominant. The Independent Electoral Commission has drafted an amended electoral law that envisages a modified mixed proportional representation system. The draft law will be reviewed by the Ministry of Justice Legislative Department and then submitted to the National Assembly for endorsement in the coming months. Although the transition of the Independent Electoral Commission itself into a State-funded budgetary entity was completed during the reporting period, an approximate deficit of $11.5 million remains unfunded and could jeopardize the future electoral planning.

13. Both houses of Parliament have been actively reviewing and amending the following pieces of legislation: the Provincial Council Law, the Prison Law, the Juvenile Justice Code, the Counter-Narcotics Law, the Environmental Law, the Law on the Commission for the Implementation of the Constitution, the Kabul City Master Plan, and the Law on the Structure of Government. A lack of adequate legal expertise still hampers the quality of parliamentary action taken.

14. On 31 January, a commission of the lower house of Parliament circulated a resolution on national reconciliation, which highlighted the need for reconciliation and, among other issues, declared that all political parties and belligerent groups associated with the two and a half decades of conflict should be immune from prosecution. The resolution, which passed the lower house with a majority vote, was approved by the upper house on 20 February 2007. President Karzai stated that he would not approve any bill that was unconstitutional or against sharia law, and affirmed that only victims of human rights violations have the right to forgive.

B. Provincial government

15. Recent appointments of qualified officials in some provinces have led to notable improvements in security, administrative services and dialogue between the local population and provincial authorities. However, former commander networks continue to exert influence at the provincial and district levels, and often retain access to illegal revenue streams, despite the removal of many of their leaders from administrative and security posts in their provinces of origin. Governors in many provinces are locally weak and under-resourced, while a lack of clarity in the role of provincial councils has contributed to tensions between governors and elected representatives. Corruption within the administrative sector remains a major concern, and influences many of the provincial and district level appointments.

16. The functioning of provincial councils varied between individual provinces. Common concerns include limited consultation with them on the part of governors and lack of response from provincial administrations to information requests, as

well as inadequate logistical and budgetary support. Nevertheless, some progress was made in certain provinces, including Herat and in most of the north, as governors increasingly discussed development, administrative and political issues with provincial council members.

17. Provincial development committees are developing costed and prioritized provincial development plans in 25 out of 34 provinces. However, budget processes and sectoral strategies at the level of the central government do not account for provincial development committees. As a first step towards reconciling provincially determined priorities with budgetary resources, the Government is piloting budgetary reforms to ensure an equitable allocation of resources across provinces in the Ministries of Education, Health and Rural Rehabilitation, and Development and in Balkh, Kandahar and Panjshir provinces.

C. Regional developments

18. Trade between Afghanistan and key economic partners in the region — Pakistan, China and the Islamic Republic of Iran — grew, exceeding $2.5 billion in 2006. The Government of Afghanistan, with India's support, held the Second Regional Economic Cooperation Conference on Afghanistan in New Delhi on 18 and 19 November 2006 to stimulate regional cooperation on trade facilitation and transport; investment trade; electricity trade and energy development; and agriculture. Through the consultative groups established in the framework of the Joint Coordination and Monitoring Board/Afghanistan National Development Strategy processes, UNAMA assisted in the preparation of the conference. In December 2006, the Islamic Republic of Iran and Afghanistan signed a memorandum of understanding on economic cooperation at the second Iran-Afghanistan Joint Economic Commission meeting in Kabul. Agreements on electricity transit were reached between Afghanistan and Pakistan, Tajikistan, the Islamic Republic of Iran and Kyrgyzstan.

19. Neighbouring countries contributed extensive financial and technical assistance to Afghanistan's infrastructure. Hundreds of kilometres of roads were built and/or rehabilitated, irrigation and water supply systems were reconstructed, three hospitals and 10 schools were built and a number of higher education institutions received research laboratories, textbooks, computers and other equipment. In an encouraging sign of technical cooperation, the Afghan and Pakistani Ministers of Health launched a cross-border polio vaccination campaign, supported by the United Nations Children's Fund (UNICEF), the World Health Organization (WHO) and UNAMA in December 2006.

20. However, relations between Afghanistan and Pakistan remained tense. Commitments early in the reporting period to cooperate in resolving cross-border issues have yet to realize their full potential. In summit talks between President Karzai and President Musharraf in Kabul and New York in September 2006, both the insurgency and counter-terrorism efforts were prioritized. This sentiment was reaffirmed in quarterly meetings held by the countries' Ministers for Foreign Affairs. A proposal to hold peace jirgas (gatherings of tribal and community leaders) was agreed upon during a September 2006 meeting in Washington, D.C. of the Presidents of Afghanistan, Pakistan and the United States of America. During its November 2006 mission to Afghanistan, the Security Council was briefed on these

plans. Regional peace jirga commissions were subsequently established by both Pakistan and Afghanistan. Despite these efforts, progress on substance and logistics remained slow, and no date has been set for these events.

21. Over the course of the reporting period, my Special Representative held talks with high-ranking officials in Pakistan, with a view to encouraging further dialogue between the two countries on issues including the current status of the insurgency and its cross-border dimension. It seemed that there would be scope for increased engagement on a number of practical issues similar to the cross-border polio campaign.

22. The Afghanistan-Pakistan military Tripartite Commission, chaired by the North Atlantic Treaty Organization (NATO)/ISAF, held its twentieth plenary session in Pakistan on 12 January 2007. It focused on improving tactical coordination. In addition to the subcommittees for border security, military intelligence-sharing and counter-improvised explosive devices, the Tripartite Commission developed terms of reference for the new Operational Coordination Working Group and conducted preliminary joint planning for offensive pre-emptive operations in spring 2007.

IV. Security institutions

A. Disbandment of illegal armed groups

23. Over the course of the reporting period, only limited progress was made with respect to the disbandment of illegal armed groups. The rate of weapons handovers was not encouraging, despite the launch of the main phase of the disbandment operations in five provinces between 1 May and 7 June 2006. From September 2006 to 25 February 2007, only 4,496 light and heavy weapons were submitted. By the end of 2006, illegal armed groups in just three districts of the five target provinces were deemed by the disbandment programme Joint Secretariat to have complied with the programme objectives: Farkhar district (Takhar province); and Kohistan 1 and Mahmud Raqi districts (Kapisa province). Compliance certification for these districts permitted the release of development funds earmarked for the disbandment programme. The pace of weapons submission and overall disbandment compliance, particularly in the north, was thought to have suffered from the overall deterioration in the security situation and diminished confidence in the country's stability.

24. In response to stalled implementation, stakeholders in the disbandment process conducted a joint review of the disbandment programme. In September 2006, Vice-President Khalili commissioned the formation of a joint review panel of the programme. The review panel identified the need to renew Government commitment to the programme, to focus on illegal armed groups actively engaged in criminal activity, and for flexibility in awarding development projects to districts where illegal armed groups were positively engaged with the programme. President Karzai convened, in November 2006, meetings of ministers, international stakeholders and jihadi leaders to discuss the state of the disbandment programme and ways forward. The recommendations of the review panel were reflected in an action plan that the President endorsed on 7 February 2007. The action plan gives the National Security Adviser a ministerial coordination and reporting role and designates the Ministry of the Interior as having the eventual lead in the implementation of the disbandment programme. The Afghanistan New Beginnings Programme, the United Nations

Development Programme (UNDP) implementing arm of the disbandment programme, will accordingly undertake capacity-building with regard to the Ministry of the Interior and other concerned ministries and departments.

B. Afghan security forces

Afghan National Police

25. With the announcement of 40 senior police officer appointments through the Ministry of the Interior on 13 January 2007, the pay and rank reform of the top leadership of the Afghan National Police has been nearly completed. While the most recent appointments have been based largely on merit, the reform process continues to present difficulties. Some of those proposed for posts lack the requisite qualifications. In other cases, political considerations are the driving factor. Reports of bribes are commonplace, particularly for lucrative positions in drug-producing areas or along smuggling routes.

26. According to the Ministry of the Interior, there are 61,879 personnel assigned to the Afghan National Police. In the absence of independent verification, many observers believe there is a substantial discrepancy between those that exist on paper and those who are actually present for duty in the field. It is hoped that the establishment of an individual salary payment, which as of December 2006 was being implemented in 29 of 34 provinces, may assist in removing opportunities for corruption.

27. The Afghan National Auxiliary Police programme (see A/61/326-S/2006/727) initially commenced in six priority insurgency-affected provinces: Farah, Ghazni, Helmand, Kandahar, Uruzgan and Zabul. It was subsequently extended to the provinces of Herat, Kunar, Laghman, Logar, Nangahar, Nuristan, Paktya and Paktika. So far, 3,212 have been trained, equipped and deployed; 819 are currently in training; and 4,590 have been vetted and are awaiting training. The current plan is to train a total of 9,063 Afghan National Auxiliary Police by 1 May 2007. After a 10-day training period, Afghan National Auxiliary Police recruits are deployed to serve specifically in their areas of origin but are integrated into a unified chain of command and control under the provincial Chiefs of Police. International stakeholders in the reforms of the Ministry of the Interior, including UNAMA, monitor the implementation of the programme in the various provinces, especially the recruitment and vetting processes. The aim is to prevent infiltration by those who owe allegiance to former local militia commanders, rather than to the central government.

28. The same concerns for adequate security lay behind the recent establishment of the Afghanistan National Civil Order Police, a 5,000-strong force with the special capacity to tactically respond to incidents of civil disorder and emergency situations in the urban and rural areas of Afghanistan.

29. The Afghan National Police remain dependent on the Law and Order Trust Fund for Afghanistan, administered by UNDP, for the provision of remunerations and other support. The budget continues to suffer from significant shortfalls for the police salary component, with adverse implications for the proposed Afghan National Police salary regime and the salaries and logistic support for the newly

established Afghan National Auxiliary Police and Afghanistan National Civil Order Police.

Afghan National Army

30. At the Joint Coordination and Monitoring Board meeting held in Berlin in January 2007, the Ministry of Defence announced a new target strength for the Afghan National Army of 64,000 by the end of 2008. This is an increase of 4,200 on the current Joint Coordination and Monitoring Board benchmark. To achieve this figure, training has been stepped up to include 2,000 recruits every five weeks, and a set of incentives planned in 2006 are beginning to materialize. These include a pay rise (effected in October 2006); the establishment of a more sustainable operations-training-leave cycle; and a range of management and administrative initiatives.

31. Despite signs of improvements in retention and a surge in recruiting over the winter months, concerns over the actual "present for duty" strength remain. The current assigned strength of the army at headquarters, in the five regional commands, and in logistics, training and administrative structures stands at 32,200, with a further 7,500 either in training, on sick leave or between assignments. The estimated "present for duty" strength is approximately 25,000.

32. Beyond manpower and equipment shortfalls, the Afghan National Army continues to make good progress, notwithstanding the challenge of building an army while having to conduct combat operations. Logistics support, administrative systems and the fabric of the institution are improving. Most significantly, in Operation Oqab at the end of 2006, the army (and the police) planned and executed complex joint operations as equal partners with ISAF. This delivered a much-needed boost in confidence to the Ministry of Defence.

C. International Security Assistance Force

33. The reporting period witnessed the completion of the final stage of the expansion of ISAF. On 5 October, the NATO-led force assumed responsibility for international stability and security operations throughout Afghanistan, including a number of former coalition forces operating in the eastern part of the country. The total number of international forces deployed did not change significantly. As of 7 February 2007, ISAF force strength stands at some 35,460 troops, and an additional 8,000 remain deployed under United States-led coalition command.

34. The expansion was completed on the heels of the September 2006 Operation Medusa, over the course of which ISAF expelled hundreds of insurgents formerly entrenched in Kandahar's Panjwai district. Operation Oqab began in October and combined the efforts of Afghan forces and ISAF to increase freedom of movement on the Afghan Ring Road and to enhance security in areas designated as Afghan development zones. Although still short of some resources, ISAF continues to conduct operations against the Taliban, maintain momentum in areas of progress, and enable the accelerated development and governance reforms.

35. The provincial reconstruction teams remain an important element of NATO strategy. Over the course of the reporting period, two additional teams were deployed to Nuristan (United States) and Wardak (Turkey), bringing the total to 25. UNAMA has contributed to the training of incoming team leaders with courses for commanders of provincial reconstruction teams, and frequent participation in ISAF

provincial reconstruction team courses and conferences. UNAMA engagement supports ISAF's ongoing effort to achieve greater uniformity among provincial reconstruction teams and greater conformity with the emerging government-led provincial development plans.

36. ISAF assumed responsibility for co-chairing the military Tripartite Commission, and has made the development of operational cooperation between the Afghan and Pakistani armies one of its highest priorities. An additional working group was created to focus on coordination of border security operations, and an Afghan, Pakistani and ISAF joint operations intelligence cell, tasked with enabling the sharing of military intelligence, was established in Kabul.

V. Human rights and the rule of law

A. Human rights and gender

Human rights

37. Lack of security remained the greatest challenge to the enjoyment of human rights in Afghanistan. The killing of teachers and attacks on education facilities continued. Fighting in southern Afghanistan caused displacement and affected aid assistance delivery. According to ISAF, insurgency-related violence led to an estimated 134 civilian fatalities between October 2006 and January 2007.

38. Civilians were caught in crossfire during combat operations, particularly in the south. Of concern was Operation Medusa in Zherai and Panjwai districts in Kandahar, during which ISAF was alleged to have killed 23 civilians. UNAMA interviewed witnesses and issued a public report in December 2006 urging all parties to uphold international humanitarian and human rights law and to ensure the protection of civilian life. ISAF publicly stated that civilian casualties were its single biggest failure in 2006, and measures would be taken to reduce them.

39. On 16 September 2006, President Karzai issued a presidential order establishing a transparent mechanism for all senior level appointments, thus meeting an important Afghanistan Compact benchmark. On 10 December, Human Rights Day, President Karzai publicly launched the action plan for transitional justice; he also declared that 10 December would be a national remembrance day. The United Nations High Commissioner for Human Rights publicly expressed concern at the adoption of the resolution on national reconciliation by the National Assembly (see para. 14).

40. Curbs to media freedom continued to be reported. The head of the State-owned Radio and TV Afghanistan resigned, citing pressure from the Minister of Culture and Information to modify broadcasts in favour of Government public information stories. Afghan journalists' unions raised serious concerns about political interference in the media and how the amendments proposed in the Parliament to the new Media Law restrict freedom of expression.

41. The ratio of detainees to sentenced prisoners rose, as the capacity of the courts failed to keep pace with an increasing number of arrests. In November 2006, the Office of the Attorney General estimated that approximately 71 per cent of the over 6,000 detainees across the country were awaiting trial. A joint Afghan Independent

Human Rights Commission and UNAMA arbitrary detention monitoring campaign began in October 2006 throughout Afghanistan with the cooperation of the Ministries of Justice and the Interior and the Office of the Attorney General. Initial findings indicated that in a significant proportion of cases pre-trial detention timelines had been breached, suspects had not been provided with defence counsel, and ill-treatment and torture had been used to force confessions. Access to the National Directorate of Security and Ministry of the Interior detention facilities remained problematic for the Afghan Independent Human Rights Commission and UNAMA. In January 2007, the Commission and UNAMA facilitated the first human rights training for National Defence Services officers.

42. The Government continues to face enormous challenges in delivering economic and social rights. Chronic food insecurity, inability to access sufficient water, lack of health care and educational facilities, particularly for girls and women, and protracted land insecurity, affect Afghans on a daily basis. Despite progress in key areas, such as improvement in maternal mortality indicators, Afghanistan still ranks among the poorest countries in the world in terms of human development.

Gender

43. Progress towards the realization of gender equality continued to be held back by discrimination, insecurity and the persistence of customary practices. Honour killings of females by family members continue to be reported. Reasons included having been raped and elopement. Preliminary findings from the UNAMA and the Afghan Independent Human Rights Commission arbitrary detention monitoring campaign indicate that a high proportion of women in prison are detained for transgressing social mores. In Afghanistan's largest prison in Kabul, almost 30 per cent of female detainees are in prison for acts that do not constitute criminal offences, while a further 30 per cent are detained for adultery in breach of national due process standards.

44. Parliamentary deliberations on the abolishment of a number of ministries still pose a threat to the existence of the Ministry of Women Affairs. Staff of the provincial departments of women's affairs continue to face security threats, particularly in the south, south-east and the east. Following the assassination of the head of the Department of Women's Affairs in Kandahar, and after receiving threats, a number of women's affairs departments halted or limited their activities.

45. No significant progress was made with respect to the implementation of the Convention on the Elimination of All Forms of Discrimination against Women, despite an expert mission to Afghanistan of the Committee on the Elimination of Discrimination against Women in the second half of 2006.

46. There have, however, been some positive developments. As a result of concerted lobbying efforts by national stakeholders and the international community, the drafting of the law related to family violence is on the Government's 2007 legislative agenda. A gender equity policy to improve women's representation in the civil service was drafted in 2006. Finally, the release of the National Action Plan for Women in Afghanistan, expected in 2007, will facilitate the implementation of relevant strategies in the Afghanistan National Development Strategy and in turn support relevant ministries in mainstreaming gender into their respective implementation plans for the Strategy.

B. Rule of law

47. Widespread corruption in the justice system remained a serious concern. The appointment of a reform-oriented Supreme Court Chief Justice and Attorney General in 2006 was a promising development. While visible results, in terms of establishing functional and honest judicial institutions, are needed to gain the trust of the public, due process principles are to be respected when seeking to remove corrupt or unqualified personnel.

48. However, the capacity of the Ministry of Justice remains limited, particularly its legislative drafting unit, which is overburdened by the number and complexity of legislation awaiting drafting, scrutiny and review. This legislation includes the criminal procedure code, which was written to suit an immediate post-conflict environment and is in need of reform.

49. With respect to the management of correction facilities, the urgent lack of accommodation for over 1,000 detainees in 11 provincial prisons, as identified in November 2006 by the Ministry of Justice, has yet to be fully addressed. In January 2007, the Central Prisons Department announced that it had completed the past fiscal year with a large deficit and most staff in the provinces had not been paid salaries for four months. The United Nations Office on Drugs and Crime completed new justice complexes in Balkh, Gardez and Paktya. Other justice facilities, including family and juvenile courts, are being built in Jalalabad, Kunduz and Laghman.

50. National and international NGOs expanded the provision of legal aid, including in the provinces, and UNAMA field officers reported that that has had a positive impact in terms of the application of constitutional and legal principles. The United Nations Development Fund for Women expanded its paralegal programme and continued to support referral centres for women.

51. Given a donor tendency to establish programmes outside the framework of the Afghanistan National Development Strategy, thereby curtailing coordination, UNAMA and United Nations agencies have advocated for enhanced strategic coordination in justice sector reform and to work towards increased national ownership through the Afghanistan National Development Strategy. In December 2006, in Dubai, the Afghanistan rule of law coordination meeting generated renewed international commitment to reform Afghanistan's justice sector. Consensus is emerging in favour of a multi-donor funding mechanism or a justice trust fund, possibly within the Afghanistan Reconstruction Trust Fund administered by the World Bank. The international community is supporting justice institutions to finalize a detailed sectoral reform strategy to achieve the benchmarks of the Afghanistan National Development Strategy.

VI. Economic and social development

A. Humanitarian situation

52. Afghanistan is still in the grip of drought. An extension of the joint drought appeal launched in October 2006 called for additional assistance, and brought the appeal of the Government, and the United Nations and its partners to $119 million. It covers the provinces of Helmand, Khost, Kunar, Paktika and Parwan, World Food Programme activities until April 2007, and relief for conflict-affected persons in the south. The security situation and the onset of winter affected outreach and impacted negatively on the overall capacity to implement programmes. Thus far the appeal has been funded to the level of 53 per cent. The majority of funds are allocated for emergency food relief, water provision and health services. Following a United Nations Disaster Assessment and Coordination team mission in July 2006, aimed at supporting national capacity to identify critical challenges in disaster management, the functions of the Department of Disaster Planning have been adjusted to strengthen its coordination and assessment capacity, including at the provincial level.

53. Several immunization programmes were conducted by the Ministry of Public Health with support from UNICEF and WHO. In September 2006 a polio national immunization campaign took place that targeted 7.2 million children under five years of age. In November 2006 another national polio eradication campaign targeted 6,955,844 children under the age of five. Five polio cases have been identified in Uruzgan, in the southern region, bringing the total number of cases in 2006 to 31, all of which have occurred in provinces where the programme is facing outreach difficulties owing to security concerns.

54. The displacement of 15,000 families in the south has been a major cause for humanitarian concern, and United Nations agencies and NGOs have been called upon to provide assistance under difficult circumstances. The collateral damage caused by combat operations to the civilian population has intensified the focus of humanitarian agencies on the protection of civilians. UNAMA, with support from the Government of Norway, will increase its humanitarian coordination capacity, including on civil military coordination and with NGOs, through the deployment of additional staff at the provincial level.

55. A total number of 139,804 Afghan refugees returned during 2006, a marked decrease compared to previous years. The Office of the United Nations High Commissioner for Refugees (UNHCR) is prepared to assist a total of 250,000 Afghan returnees in 2007. In a countrywide exercise concluded in February 2006, the Government of Pakistan, in cooperation with UNHCR, registered 2.16 million Afghans in Pakistan. They were issued a "proof of registration" card. The Government of Pakistan reconfirmed its decision to close four refugee camps in the North-West Frontier Province and in Balochistan. The operation is scheduled to start by 15 April and to be completed by 31 August 2007. The residents will be offered the option of returning to Afghanistan or relocating to other camps in Pakistan.

56. Mindful of the recommendations of the Security Council in its report on the mission to Afghanistan in November 2006 (S/2006/935), the Acting Emergency Relief Coordinator visited Afghanistan from 17 to 21 February 2007 to assess the overall humanitarian situation and the humanitarian coordination mechanisms,

including civil-military relations, and identify ways and means to support the Government and UNAMA to address the humanitarian concerns.

B. Economy and Government revenue

57. The rate of inflation continues to decline; according to the International Monetary Fund, it was below 4 per cent at the end of 2006. The decline in international energy prices and lack of upward pressure on rents contributed to the decrease. Moreover, the timely distribution of essential foodstuffs by the World Food Programme prevented increases in food prices during the winter. The exchange rate remained stable at approximately 50 Afghanis per United States dollar. Government revenue collection, which was above target in the first two quarters of 2006, slowed in the third quarter to just under six billion Afghanis, compared to the 6.61 billion Afghanis collected in the second quarter. The actual collection recorded for the nine months ending 20 December 2006 was 17.98 billion Afghanis.

58. Development expenditures have picked up thanks to improved implementation and recording, though the budget was approved almost two and a half months into the Afghan year. In the changed security environment, the Government is facing increased pressure to allocate more funds to the security sector in the recurrent budget. This may affect the Government's ability to meet all core operating expenditures from its own resources by 2010/11.

C. Development strategy

59. The sectoral consultative groups, constituted to oversee each of the eight sectors of the Afghanistan National Development Strategy, met in October 2006 and January 2007 to review progress towards the benchmarks of the Afghanistan Compact. The consultative groups are guiding 22 technical working and subgroups tasked with developing sector strategies. The Government aims to present a number of sector strategies before the April 2007 meeting of the Afghanistan Development Forum.

VII. Counter-narcotics

60. Opium poppy cultivation and the drug economy continue to grow. While the National Drug Control Strategy was successful in some regions, implementation was unsatisfactory, owing to shortfalls such as insufficient attention to rule-of-law activities and the slow delivery of alternative livelihoods to poppy farmers. While it is expected that the northern provinces will continue to see a drop in cultivation, it is likely that production in southern provinces will further increase.

61. Narcotics trafficking has affected reconstruction by undermining the rule of law, fostering corruption within the Government, and supporting terrorist violence. In Helmand, trafficking alliances contributed to the highest levels of poppy cultivation in Afghanistan. Notwithstanding efforts to strengthen law enforcement capacity and the ability of the Counter-Narcotics Criminal Justice Task Force to

address drug-related offences and criminal organizations, additional external resources are required.

62. The Counter-Narcotics Trust Fund, a Government-executed fund established in 2006 to mainstream counter-narcotics in Government programmes, has received $42 million out of the $74 million committed. To date, 21 projects have been approved, mostly in the area of rural development and alternative livelihoods. Owing to the challenges faced by the Trust Fund, including weak Government capacity in terms of national execution and financial administrative procedures, only under $1 million was actually disbursed during the reporting period.

63. In November 2006, the Ministry of Counter-Narcotics established a Good Performance Fund to reward the six poppy-free provinces (Ghazni, Logar, Paktika, Paktya, Panjsher and Wardak). Each received $500,000. Additional funds will be provided to eight "good performers" (Bamyan, Kabul, Kapisa, Khost, Kunduz, Laghman, Kunar and Parwan). It is important that funds for the Fund increase, thus providing an incentive to provinces making tangible progress on opium reduction.

VIII. Joint Coordination and Monitoring Board and coordination

64. In its report issued following the mission to Afghanistan in November 2006, the Security Council reaffirmed international support for the Afghanistan Compact. However, it noted that, for the Compact to deliver visible change to the Afghan people, Government-led coordination efforts would need to be strengthened and streamlined. In this regard, Afghan officials and their international partners face a plethora of challenges, including a deteriorating security environment, a proliferation of activities and programmes by disparate actors, and competing political pressures in Afghanistan and abroad. While much remains to be done, tangible progress has been achieved in improving the coordination of assistance to the Afghan people.

65. Since my last report to the Security Council, the Joint Coordination and Monitoring Board gained momentum as the principal mechanism for facilitating cooperation between the Government of Afghanistan and the international community under the framework of the Afghanistan Compact. The Board held its third meeting in Kabul in November 2006. The meeting, attended by the Security Council mission, identified key priorities to be met if the underlying objectives of the Afghanistan Compact were to remain on track. At the forefront was the reform of the Ministry of the Interior, a prerequisite for stability in the south and south-east of the country. Other areas included aid effectiveness; capacity-building; the strengthening of institutions (particularly in the justice sector); anti-corruption efforts; impunity; and counter-narcotics. The meeting stressed the need for an outcome-based assessment of expenditures by both the donor community and the Government and a new strategy for private sector development. At the third meeting, the Nordic countries, on a rotation basis, were admitted as a member of the Board.

66. The fourth meeting of the Board was held in Berlin, on 30 and 31 January 2007, on the first anniversary of the London Conference, which launched the Afghanistan Compact, and was attended by political directors from foreign ministries. Donors reaffirmed their support for the efforts of the Government to obtain greater ownership of security, reconstruction and development activities. It

was agreed that budget execution would be improved through closer alignment of donor assistance with Government priorities and through enhanced national capacity. The meeting reviewed the ongoing reforms of the Ministry of the Interior and identified fiscal pressures as a key challenge. In support of national elections in 2009, UNAMA was tasked with producing an action plan in coordination with the Afghanistan Independent Election Commission and donors. The Board noted the progress on the 11 short-life benchmarks and accepted limited time extensions for three. At the fourth meeting, Spain was admitted as a member of the Board.

67. Humanitarian assistance coordination at the national level continued under the auspices of the Vice-President through the National Emergency Response Commission and a secretariat provided by the Department of Disaster Preparedness and supported by UNAMA. At the provincial level, efforts continue to centralize relief activities coordinated by the disaster management teams, chaired by the provincial governors. In support of these mechanisms and in recognition of the increased impact of the conflict on civilians, the United Nations intends to increase its humanitarian coordination capacity through the deployment of additional staff to address the changing context and uphold humanitarian principles.

68. UNAMA regional and provincial offices continue to work in support of good governance and well-coordinated development assistance in line with Afghan priorities, continuing to support the Government and its international partners in their efforts to improve the delivery of services to the Afghan population as a whole, and to support efforts at the central level to coordinate and monitor the implementation of the Compact. The UNAMA field presence, a total of 10 locations at the end of the Bonn process, now stands more robust with 17 locations countrywide. This includes five new provincial offices in Badghis, Khost, Kunar, Nimroz and Zabul, opened since August 2006.

IX. Mission operation and support

69. UNAMA will maintain its current presence in 8 regional offices and plans to increase the number of provincial offices from the current 7 (Badakhshan, Badghis, Faryab, Khost, Kunar, Nimroz, and Zabul) to 11. Two new provincial offices in Day Kundi and Ghor should be opened by May 2007, security conditions permitting.

70. The provincial offices use facilities established by UNOPS during the electoral process. They are maintained together with other United Nations agencies on a cost-sharing basis. The liaison offices in Islamabad and Tehran will continue to cover the regional dimension of the peacebuilding process. In order to reduce overhead costs, the Islamabad office is co-located with the United Nations Humanitarian Air Services/WFP and the Tehran office is located in the United Nations common premises building, which is shared by eight United Nations agencies.

71. The enlargement of the Military Advisory Unit proposed in my last report (A/61/326-S/2006/727), was approved by the Fifth Committee of the General Assembly in December 2006. One new Military Liaison Officer has been deployed and another five are under recruitment. In deploying the new Military Liaison Officers, priority is given to the newly established provincial offices. The increase is designed to strengthen liaison with the Afghan security forces and ISAF.

72. In September 2006, a review of the security environment in Afghanistan was undertaken to assess vulnerability of United Nations staff and assets pending further progress in the host country security sector reform. Expansion of UNAMA presence throughout the country requires that security measures and structures be strengthened, particularly in southern and eastern provinces. Supporting expansion of UNAMA will entail meeting the financial implications of related security threat mitigation requirements.

X. Observations

73. **Since my last report, progress was made in several key areas. The Joint Coordination and Monitoring Board provided an essential forum for the Government and the international community to recommit themselves politically to coordinated and integrated development efforts. At the recent meeting of the Board in January, all participants reaffirmed the centrality of the Board as the coordination mechanism between the Government of Afghanistan and its international partners.**

74. **The insurgency continues to pose a significant challenge to the authority of the Government and presents a danger to civilians and assistance providers alike. The last few months have shown growing responsibilities for the international community in terms of humanitarian assistance and international humanitarian and human rights law. All parties must remain mindful of the need to respect the latter and to protect civilian life.**

75. **The formation of the Policy Action Group has led to much closer coordination of Government and international stakeholders on countering the insurgency in the south. A variety of measures will be critical to leveraging its full potential and permit sustained delivery of development assistance. These might include initiatives aimed at reconciling alienated sections of society. A comprehensive review of the provincial and district administrations is required, with a view to increasing the professionalism and accountability of appointees, while ensuring representation of all principal ethnic groups and subgroups.**

76. **Security incidents in January 2007 in provinces bordering Pakistan were double the number recorded the previous year. Coordinated efforts by the Governments of Afghanistan and Pakistan to curb incursions into Afghanistan of opposition forces will therefore continue to be vital. Some steps taken by the Government of Pakistan in the last six months are encouraging but further resolute action is still needed.**

77. **The successful completion of the ongoing reforms of the Ministry of the Interior is a precondition for achieving a sustainable peace in Afghanistan, not only through the creation of a more capable and motivated force to prevent insurgency operations and cross-border infiltration, but also to reverse the growth of narcotics trafficking and build public confidence in the rule of law. Monitoring the performance of the new appointees for an initial period can mitigate the risk of recidivism, while adequate resourcing and timely payment of the police will boost effectiveness and retention rates.**

78. **Parliament began to assert its independence and serve as an active counter-weight to the executive branch. Technical assistance to the National**

Assembly will be a key element for future substantive review of legislation by the National Assembly standing committees. Further donor commitment is needed to ensure that Afghanistan will continue to make progress in its democratic transition progress. A substantial funding shortfall for the next elections in 2009 is expected, which would most likely have a negative impact on the future of electoral politics in Afghanistan, if no further funds were made available.

79. While meaningful progress was made in the field of transitional justice, it could be jeopardized by the adoption in both houses of Parliament of the resolution on national reconciliation, which could lead to amnesty for those prosecutable for human rights violations. I welcome President Karzai's launch of the Action Plan on Peace, Justice and Reconciliation in December, which states that no amnesty should be provided for war crimes, crimes against humanity and other gross violations of human rights, and outlines a clear road map for the future. I urge the Afghan Government to maintain this momentum.

80. The narcotics economy, linked both to the insurgency and failures of governance and rule of law, poses a grave threat to reconstruction and nation-building in Afghanistan. An urgent concerted effort by all stakeholders is needed to improve implementation of the national drug control strategy. Tackling the drug industry in Afghanistan must be viewed as part of the overall strategy to build healthy State institutions and restore people's trust in the authority of the Government.

81. Advancing regional cooperation remains a strategic priority for Afghanistan. Institutional frameworks, launched at the Regional Economic Cooperation Conferences in Kabul and New Delhi (and within the Joint Coordination and Monitoring Board), require commitment and support within the region and the international community.

82. President Karzai's reaffirmation of support for the disbandment of illegal armed groups programme comes at a critical moment. The redesigned programme will succeed, however, only if Government and international stakeholders cooperate in good faith on its enforcement. Intensified capacity-building of the Ministry of the Interior and, on a case-by-case basis, operational support from NATO/ISAF, will be critical to the implementation of the disbandment programme, as will the Government's readiness to remove office holders with demonstrated links to illegal armed groups.

83. Natural and health hazards and conflict situations represent critical challenges. In support of the longer-term agenda set by the Compact, it is crucial to strengthen the existing humanitarian coordination mechanisms, including with the military and NGOs, to better support national authorities in achieving the targets of the Compact.

84. Steps to improve stakeholder coordination must be implemented on three levels. At the international level, convening an annual forum on the Afghanistan Compact, such as the January 2007 meeting of the Joint Coordination and Monitoring Board in Berlin, will help ensure that donors remain engaged politically and economically with the Afghan Government. Holding selective, international-level sectoral meetings may also facilitate implementation of the Compact. At the national level, ministries and their

international partners must ensure their representation in the Afghanistan national development strategy consultative and working group meetings by officials of appropriate rank. At the provincial level, an increased focus on capacity-building of Government structures is needed in order to enable greater Afghan oversight and direction of development and humanitarian issues. UNAMA can more readily ensure stakeholder coordination towards this objective through its planned establishment of additional provincial offices, security conditions permitting.

85. **Afghanistan and its international partners once again find themselves at a critical juncture in the country's transition. It is time for the international community to reconfirm its commitment to Afghanistan and to move expeditiously to consolidate the accomplishments of the last six years. UNAMA, together with its Afghan and international counterparts, is well positioned to assist in meeting some of the challenges I outlined in my report. In the coming months, the Mission should focus its efforts on promoting a more coherent international engagement in support of the Afghanistan Compact; strengthening its humanitarian coordination role and contributing to the protection and promotion of human rights, including monitoring the situation of civilians in armed conflict; and extending its good offices role through outreach in Afghanistan and support for regional cooperation. I therefore recommend that the mandate of UNAMA, due to expire on 24 March, be extended for a further 12 months.**

86. **In conclusion, I would like to convey my sincere appreciation to the Security Council and other Member States for their continued support to Afghanistan. I would like to pay tribute to the dedicated efforts of my Special Representative, Tom Koenigs, and to the women and men of the United Nations Assistance Mission in Afghanistan and their partner organizations, who continue to carry out their mission under difficult and increasingly dangerous circumstances. I am grateful for their courage, dedication and commitment.**